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09/921,194	08/01/2001	Craig M. Janik	5532.P011	6070

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Archana B. Vittal  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER
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NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 03/16/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/921,194

**Applicant(s)**JANIK, CRAIG M. *mn***Examiner**

Hung T. Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-8, 10-22, 24-27, 29-41, 43-49 & 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (U.S. 6,329,787) in view of Blackman et al. (U.S. 6,010,228).

Regarding claims 1 & 20, Ito discloses a device docking apparatus (24) [ fig.1, col.1, lines 9-17 and col.4, lines 34-59 ] comprising:

- a battery charging device (24) having a receptacle (18) to hold a portable electronic device (14) [ fig.1, col.4, lines 47-59 ];
- a control charging module (82) for controlling / charging the power supply to the portable electronic device (14), the control charging module having a printed circuit board / microcomputer (100) & integrated circuit [ figs.1-2, col.5, line 63 to col.6, line 27 ];
- an AC power input (AC 100 V) to supply power to the portable electronic device (14) when the portable electronic device is docked in the device docking apparatus (24), wherein power from the AC power input is converted to DC power by the control charging module (82) so that

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the power may used to charge the portable electronic device when the portable electronic device is docked in the device docking apparatus [ col.6, lines 11-27 ].

Ito fails to mention a wall switch plate to be fastened to a light switch module on a wall, the wall switch plate having a having a receptacle (18) to hold a portable electronic device.

However, Ito teaches a device docking apparatus is a battery charging device (24) having a receptacle (18) to hold a portable electronic device (14) such as a portable telephone, personal digital assistant, a portable game machine and etc. The device docking apparatus (24) is connected by a power supply cord and an AC plug (48) to an AC outlet (50) which is supplied with a commercial AC electric power from an external AC power supply [ fig.1, col.4, lines 47-65 ] and

Blackman teaches a switch plate device to be fastened to a light switch module on a wall which having a housing (20) for a wireless device (10) which is mechanically connectable to a conventional light switch (122) [ fig.1, col.2, lines 20-24, col.3, lines 47-62 and col.7, lines 30-33 ].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Blackman in the system of Ito for breaking or opening an electric circuit or to divert current from one conductor to another also for charging a battery and transceiving data signal from other remote devices.

Regarding claims 2 & 21, Ito teaches a device docking apparatus is a battery charging device (24) having a receptacle (18) to hold a portable electronic device (14) such as a portable telephone, personal digital assistant, a portable game machine and etc. which may receive and

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transmit data signal / microcomputers (70,100) via power wires coupled to the AC power input [ fig.2, col.1, lines 63-67 and col.3, lines 5-32 and col.5, line 63 to col.6, line 50 ].

Regarding claims 3 & 22, The data is sent and receive from a network such as radio, television, data broadcast wave or wireless communication [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

Regarding claims 5 & 24, Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc., the data is sent and received from a network such as radio, television, data broadcast wave or wireless communication system without from a second device docking apparatus [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

However, those skilled in the art will recognize that the data is sent and received from a network may include a multiple device docking apparatus to communicate each other as desired.

Regarding claims 6 & 25, The portable electronic device (14) includes a transceiver as a microcomputer (70) for sending or receiving data signal while sitting in the device docket apparatus (24) [ figs.1-2, col.1, line 62 to col.2, line 32 and col.3, lines 7-32 and col.4, line 34 to col.5, line 58 ].

Regarding claims 7-8 & 26-27, Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc., the data is sent

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and received from a network such as radio, television, data broadcast wave or wireless communication system [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

Regarding claims 10 & 29, Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc., the data is sent and received from a network such as radio, television, data broadcast wave or wireless communication system without from a second device docking apparatus [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

However, those skilled in the art will recognize that the data is sent and received from a network may include a multiple device docking apparatus to communicate each other as desired.

Regarding claims 11 & 30, Ito discloses the portable electronic device (14) and the device docket apparatus (24) both having microcomputers (70,100) as a controller, processor, etc. which transceiving data signals from a network such as radio, television, data broadcast wave or wireless communication [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

Regarding claims 12 & 31, Ito fails to specifically mention the wireless protocol is IEEE 802.11b as claimed by the applicant.

However, Ito clearly teaches the battery charging device (24), portable information terminal (14) can transceiving data signal by a radio frequency signal or wireless communication from a local remote location as a data broadcasting wave which can distribute various digital

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contents including pictures, images , sound , characters , etc. [ fig.2, col.5, lines 19-58 and col.6, lines 40 to col.7, line 56 ].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the utilize the system of Ito & blackman includes any well known wireless communication technique standard and hardware components for transceiving data signals with other electronic devices.

Regarding claims 13 & 32, Ito discloses the portable electronic device (14) and the device docket apparatus (24) both having microcomputers (70,100) located separately as a controller, processor, etc. which transceiving data signals from a network such as radio, television, data broadcast wave or wireless communication [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

Regarding claims 14 & 33, Ito discloses the battery charging device (24) having a receptacle (18) to hold a portable electronic device (14) could be named a dock [ fig.1, col.4, lines 47-59 ].

Regarding claims 15 & 34, The AC power input supplies to the portable electronic device (14) is 100 V [ col.6, lines 10-14 ].

Regarding claims 16 & 35, Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc. [ fig.1, col.1, lines 9-17 ].

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Regarding claims 17 & 36, The portable electronic device (14) includes a display module (12) as LCD screen [ fig.1, col.4, lines 34-51 ].

Regarding claims 18 & 37, The portable electronic device (14) includes a plurality of buttons (28,30) and a user interface [ fig.1, col.4, lines 34-51 ].

Regarding claims 19 & 38, Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc. [ fig.1, col.1, lines 9-17 ].

Regarding claims 39 & 47, Ito discloses a method of using a device docking apparatus (24) [ fig.1, col.1, lines 9-17 and col.4, lines 34-59 ] comprising:

- placing a portable electronic device (14) in a receptacle (18) of the device docking apparatus (24) [ fig.1, col.4, lines 47-59 ];
- supplying power to the portable electronic device (14) docked in the device docking apparatus from power wires connected to the module / AC power outlet (50) [ col.6, lines 11-27 ];
- receiving data from a network through the power wires to the device docking apparatus (24) [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ];
- transferring the data to the portable electronic device (14) docked in the device docking apparatus [ fig.2, col.1, lines 63-67 and col.3, lines 5-32 and col.5, line 63 to col.6, line 50 ].

Ito fails to specifically disclose the device docking apparatus fastened to a module on a wall as claimed by the applicant.



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However, Ito teaches a device docking apparatus is a battery charging device (24) having a receptacle (18) to hold a portable electronic device (14) such as a portable telephone, personal digital assistant, a portable game machine and etc. The device docking apparatus (24) is connected by a power supply cord and an AC plug (48) to an AC outlet (50) which is supplied with a commercial AC electric power from an external AC power supply [ fig.1, col.4, lines 47-65 ] and

Blackman teaches a switch plate device to be fastened to a light switch module on a wall (120) which having a housing (20) for a wireless device (10) which is mechanically connectable to a conventional light switch (122) [ fig.1, col.2, lines 20-24, col.3, lines 47-65].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Blackman in the system of Ito for holding, charging a battery and securely retaining the portable electronic device on a wall as desire.

Regarding claims 40 & 48, Ito discloses the portable electronic device (14) and the device docket apparatus (24) both having microcomputers (70,100) located separately as a controller, processor, etc. which transceiving data signals from a network such as radio, television, data broadcast wave or wireless communication. The portable electronic device (14) includes a transceiver as a microcomputer (70) for sending or receiving data signal while sitting in the device docket apparatus (24) [ figs.1-2, 9-10 col.1, line 62 to col.2, line 32 and col.3, lines 7-32 and col.4, line 34 to col.5, line 58 ].

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Regarding claims 41 & 49, The data is sent and receive from a network such as radio, television, data broadcast wave or wireless communication [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

Regarding claims 43 & 51, Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc., the data is sent and received from a network such as radio, television, data broadcast wave or wireless communication system without from a second device docking apparatus [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

However, those skilled in the art will recognize that the data is sent and received from a network may include a multiple device docking apparatus to communicate each other as desired.

Regarding claims 44 & 52, The portable electronic device (14) includes a plurality of buttons (28,30) for controlling input device functions and a user interface [ fig.1, col.4, lines 34-51 ].

Regarding claims 45 & 53, Ito does not disclose the module on the wall is a light switch.

However, Ito discloses a different way as the device docking apparatus is a battery charging device (24) having a receptacle (18) to hold a portable electronic device (14) such as a portable telephone, personal digital assistant, a portable game machine and etc. The device docking apparatus (24) is connected by a power supply cord and an AC plug (48) to an AC outlet (50) which is supplied with a commercial AC electric power from an external AC power supply [ fig.1, col.4, lines 47-65 ].

Blackman teaches a switch plate device to be fastened to a light switch module on a wall which having a housing (20) for a wireless device (10) which is mechanically connectable to a conventional light switch (122) [ fig.1, col.2, lines 20-24, col.3, lines 47-62 and col.7, lines 30-33 ].

Therefore, it would have been obvious to one having ordinary skill in the art to employ the teaching of Blackman in the system of Ito for breaking or opening an electric circuit or to divert current from one conductor to another also as to turn on & off the lights.

Regarding claims 46 & 54, The device docking apparatus (24) is connected by a power supply cord and an AC plug (48) to an AC outlet (50) which is supplied with a commercial AC electric power from an external AC power supply [ fig.1, col.4, lines 47-65 ].

3. Claims 4, 9, 23, 28, 42 & 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito et al. (U.S. 6,329,787) in view of Blackman et al. (U.S. 6,010,228) and further in view of Dunn et al. ( U.S. 5,625,877).

Regarding claims 4, 9, 23, 28, 42 & 50, The combination of Ito & Blackman fail to specifically mention the portable device (14) has a communication link to the Internet.

Ito discloses the portable electronic device (14) can be a portable telephone, personal digital assistant (PDA), a portable game machine and etc., the data is sent and received from a network such as radio, television, data broadcast wave or wireless communication [ figs.9-10, col.3, lines 24-27 and col.5, lines 19-58 ].

Furthermore, Dunn teaches data or information transmission from a portable devices such as a cellular phone or personal digital assistant (PDA) could be communicated each other through an Internet network [ fig.1, col.11, lines 47-61 and col.12, lines 43-56 ].

Therefore, it would have been obvious to one having ordinary skill in the art to have the teaching of Blackman and Dunn includes an Internet network feature in the system of Ito to connect and communicate each other at any time, any where around the world.

### **Response to Arguments**

4. Applicant's arguments filed on Jan. 8, 2004 have been fully considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung T. Nguyen whose telephone number is (703) 308-6796. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass, Jeffery can be reached on (703) 305-4717. The fax phone number for this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

A handwritten signature in black ink, appearing to read "Hung T. Nguyen". The signature is written in a cursive, flowing style.

Examiner: Hung T. Nguyen

Date: Mar. 9, 2004